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Planning Commission Staff Report

TO: PLANNING COMMISSION

FROM: AMY TEMES, SENIOR PLANNER 
(480) 503-6729, AMY.TEMES@GILBERTAZ.GOV

THROUGH: CATHERINE LORBEER, AICP, PRINCIPAL PLANNER 
(480) 503-6016 CATHERINE.LORBEER@GILBERTAZ.GOV

MEETING DATE: NOVEMBER 5, 2014

SUBJECT: UP14-10, WARNER AND POWER SENIOR LIVING: A CONDITIONAL
USE PERMIT TO ALLOW A CONGREGATE CARE FACILITY FOR
APPROXIMATELY 19.7 ACRES OF REAL PROPERTY LOCATED
WEST OF THE SOUTHWEST CORNER OF POWER AND WARNER
ROADS IN THE GENERAL OFFICE (GO) ZONING DISTRICT.

STRATEGIC INITIATIVE: Community Livability

To allow a full service congregate care facility within the General Office zoning district.

RECOMMENDED MOTION

Make the Findings of Fact and Approve UP14-10 Warner and Power Senior Living: A request for a Conditional Use Permit to allow a congregate care facility in the General Office (GO) zoning district, on 19.7 acres located at west of the southwest corner of Power and Warner Roads.

APPLICANT/OWNER

Company: Village Care Partners, LLC
Name: Carl Bommarito
Address: 1176 E. Warner Rd #106
Gilbert, AZ 85296
Phone: 602-818-2053
Email: carl@villagecarmgmt.com

Company: Phoenix Warner, LLC/ETAL
Name: Jerome Stenly
Address: 3602 Plumosa Dr.
San Diego, CA 92106
Phone: 706-638-3443
Email: stehlyent@aol.com

BACKGROUND/DISCUSSION

History

<i>Date</i>	<i>Action</i>
September 26, 2006	Town Council annexed 20 acres at Warner Road and 181 st Street Alignment under Ordinance No. 1823.
December 5, 2006	Town Council adopted Ordinance No. 1874 rezoning 20 acres of property from Maricopa County Rural – 43 to Town of Gilbert Light Industrial with a Planned Area Development Overlay.
September 3, 2014	Planning Commission reviewed GP14-09, Z14-19 and UP14-10 at study session to discuss the requested change to accommodate a congregate care facility.
October 1, 2014	Planning Commission heard GP14-09 and Z14-19 and recommended to Town Council approval (7-0 vote) of the project.
October 30, 2014	Town Council will consider GP14-09 and Z14-19 at a public hearing.

Overview

The project is located on the south side of Warner Road west of Power Road. The property is on the dividing line between Light Industrial zoning and residential zoning/uses. The owner believes that a congregate care facility is an ideal transition between industrial uses and large lot residential homes.

Surrounding Land Use & Zoning Designations:

	Existing Land Use Classification	Existing Zoning
North	Light Industrial	Light Industrial PAD
South	Light Industrial	Light Industrial PAD
East	Light Industrial	Light Industrial
West	Residential >1-2 DU/Acres and Residential >5-8 DU/Acres	Single Family – 15, Maricopa County Rural - 43 and AD-3
Site	Light Industrial Pending GP14-09 to General Office (GO)	Light Industrial PAD Pending Z14-19 to General Office (GO)

Project Data Table - No modifications to the development standards were requested with the rezoning (Conventional zoning development standards).

Development Standards	GO Development Standards
Height	55' / 3 story
Step Back	Yes. A building within 100' of residential needs a building step-back of 1' for every 1' of building height above 2 stories or 35' in height
Front Building Setback	25'
Side Building Setback to Residential	30'
Side Building Setback to Collector Street	20'
Rear Building Setback to Non-Residential	20'
Front Landscape Setback	25'
Side Landscape Setback to Residential	30'
Side Landscape Setback to Collector Street	20'
Rear Landscape Setback to Non-Residential	20'
Parking	0.5 per bed or unit 147 required, 642 provided (the large parking count is to accommodate the resident's active life style and desire to retain their vehicles.

The applicant proposes a congregate care campus for a continuum of senior care and living. The proposed development consist of 36 beds of Memory Care and 64 beds of assisted living within the three-story buildings; 123 units of full service Independent Living within the three story building with the parking garage (½ story ventilation). In between the Independent Living buildings are two 4,000 square foot dining hall/activity centers connected by 10 foot wide corridors.

Directly off of the round-a-bout is the age restricted Supportive Living. There are four of these buildings proposed, each with 41 units. The applicant anticipates that each senior apartment and independent unit will be equipped with an emergency call button and touch screen communication. The emergency systems are linked directly to the nurse's station in the main Assisted Living building. Meals, housekeeping, healthcare and transportation services are available to the senior apartment residents on a fee basis.

The 9,000 square foot fitness center/clubhouse will have a heated pool and spa and be available to all residents. The 18 hole putting golf amenity meanders through the center of the project and will be available 7 days a week for no additional cost to the residents.

The 66.8 million dollar project is expected to create 68-72 jobs permanent part time and full time jobs.

The project is proposed to be two phases. The first phase will include Building 1 (Assisted Living and Memory Care), Building 4 (Independent Living), Building 5 (Independent Living), Building 7 (Senior Apartments), Building 8 (Senior Apartments), the freestanding single story garages, a portion of the golf amenity and the Clubhouse/Fitness Center with Amenities. All at grade parking, driveways, street improvements and landscape (not directly adjacent to Phase II buildings) will be constructed as part of Phase I. Phase II will include Building 2 (Senior Apartments), Building 3 (Independent Living with Dining Hall), Building 6 (Senior Apartments) and the remaining portion of the golf amenity. The amenities and landscape directly surrounding the Phase II buildings will not be constructed until Phase II.

PUBLIC NOTIFICATION AND INPUT

A notice of public hearing was published in a newspaper of general circulation in the Town, and an official notice was posted in all the required public places within the Town.

Staff has received no comment since the neighborhood meeting.

A neighborhood meeting was held on June 3, 2014. Approximately 20 people attended. Many of the neighbors supported the proposed use. Some had the following concerns:

- Height of buildings at 3 story to 3½ stories adjacent (the half story is unoccupied parking garage ventilation) to residential that is limited to 2 story. *(the concern was addressed by moving the buildings east, away from the west property line.)*
- Concern that the congregate care will devalue the adjacent industrial property by limiting the uses allowed due to residential proximity.
- Concern that the residents of the care facility will be impacted by the Light Industrial uses and potential noise.
- Concern that the congregate care will devalue the custom homes yet to be constructed to the west because it is a commercial use.
- Buffering between the care facility and the residences. *(An 8' wall is required by the LDC with a non-deciduous tree line.)*

PROPOSITION 207

An agreement to “Waive Claims for Diminution in Value” Pursuant to A.R.S. § 12-1134 was signed by the landowners of the subject site, in conformance with Section 5.201 of the town of Gilbert Land Development Code. This waiver is located in the case file.

STAFF RECOMMENDATION

Move to make the findings of fact and approve UP14-10 Warner and Power Senior Living, a Conditional Use Permit to allow a congregate Care facility on 19.7 acres of property located at west of the southwest corner of Power and Warner Roads within the General Office (GO) zoning district, subject to conditions:

1. The Project shall be in substantial conformance with the Site Plan and Phasing Plan shown on Attachment No. 4 and Attachment No. 5.

Respectfully submitted,

Amy Temes
Senior Planner

Attachments and Enclosures:

1. Findings of Fact
2. Notice of Public Hearing
3. Aerial Photo
4. Site Plan
5. Phasing Plan

**FINDINGS OF FACT
UP14-10 WARNER POWER SENIOR LIVING CAMPUS**

Staff provides the following findings of facts, subject to the conditions of approval provided below, to substantiate approval of the project:

1. The proposed use will not be detrimental to health, safety, or general welfare of persons living or working in the vicinity, to adjacent property, to the neighborhood, or to the public in general;
2. The proposed use conforms with the purposes, intent, and policies of the General Plan and its policies and any applicable area, neighborhood, or other plan adopted by the Town Council;
3. The proposed use conforms with the conditions, requirements, or standards required by the Zoning Code and any other applicable local, State, or Federal requirements; and
4. The proposed use, as conditioned, would not unreasonably interfere with the use and enjoyment of nearby properties.

Notice of Public Hearing

PLANNING COMMISSION DATE:

Wednesday, November 5, 2014* TIME: 6:00 PM

LOCATION: Gilbert Municipal Center, Council Chambers

50 E. Civic Center Drive

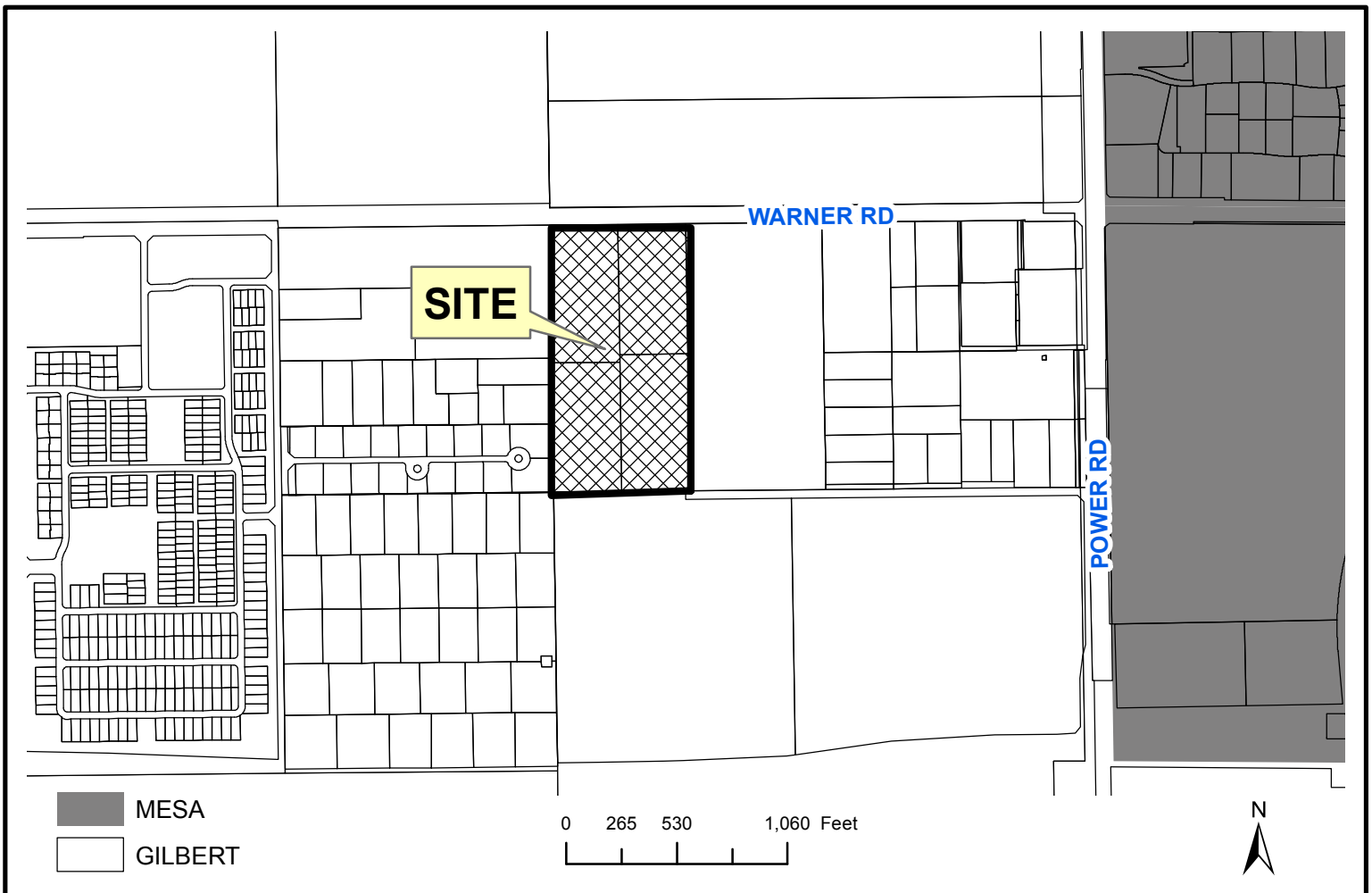
*** Call Planning Department to verify date and time: (480) 503-6700**

REQUESTED ACTION:

UP14-10 Warner and Power Senior Living: Request to approve a Conditional Use Permit for approximately 19.7 acres of real property located west of the southwest corner of Power and Warner Roads to allow a congregate care facility in the General Office (GO) zoning district.

* The application is available for public review at the Town of Gilbert Development Services division Monday - Thursday 7 a.m. - 6 p.m. Staff reports are available the Monday prior to the meeting at <http://www.gilbertaz.gov/departments/development-services/planning-development/planning-commission>

SITE LOCATION:



APPLICANT: Village Care Partners, LLC
CONTACT: Carl Bommarito
ADDRESS: 1176 E Warner Rd #106
Gilbert, AZ 85296

TELEPHONE: (602) 818-2053
E-MAIL: carl@villagecaremgmt.com



LEGAL DESCRIPTIONS

THE WEST HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 1 SOUTH, RANGE 6 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

EXCEPT THE NORTH 33 FEET THEREOF.

AREA COMPRISES 835,596.83 SF OR 19.1827 ACRES, MORE OR LESS.

SITE PLAN
WARNER-POWER SENIOR LIVING CAMPUS

PROJECT LOCATION

4445 E. WARNER RD., GILBERT, AZ

PARKING CALCULATIONS:

ASSISTED LIVING/MEMORY CARE BUILDING:
100 BEDS X 0.5 CARS = 50 STALLS

INDEPENDENT LIVING BUILDINGS (3, 4 & 5):
22 ONE BR UNITS X 1 CARS = 22 STALLS
20 TWO BR UNITS X 2 CARS = 40 STALLS
TOTAL STALLS = 62 X 3 BLDGS = 186 STALLS

SENIOR APARTMENT BUILDINGS (2, 6, 7 & 8):
22 ONE BR UNITS X 1.5 CARS = 33 STALLS
20 TWO BR UNITS X 2 CARS = 40 STALLS
TOTAL STALLS = 74 X 4 BLDGS = 292 STALLS

TOTAL STALLS REQUIRED: 147 STALLS

STALLS PROVIDED:
UNDERGROUND: 298
GARAGES: 42
ADA: 13
LOADING/UNLOADING: 2
OPEN STALLS: 287
TOTAL STALLS PROVIDED: 642 STALLS

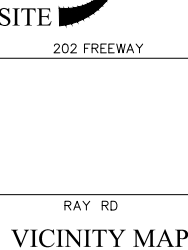
CURRENT ZONE: LI
PROPOSED ZONE: GO

DEVELOPER

VILLAGE CARE PARTNERS, LLC
40 W. BASELINE RD., STE 110
TEMPE, AZ 85283
CONTACT: CARL BOMMARITO
PHONE: (602) 818-2053
EMAIL: CARL@VILLAGECAREMGMT.COM

ENGINEER

R.B. WILLIAMS & ASSOCIATES, INC.
40 W. BASELINE RD., STE 110
TEMPE, AZ 85283
CONTACT: PHIL WILLIAMS, P.E., R.L.S.
PHONE: (480) 424-2352
FAX: (480) 424-2353
EMAIL: PHIL@RBWILLIAMS.COM



VICINITY MAP
T 1S, R 6E, S 24
(N.T.S.)

LEGEND

- PROPOSED ZONING DISTRICT BOUNDARY
- PROPERTY LINE
- EASEMENT LINE
- DRAINAGE ARROWS
- SITE LIGHTING FIXTURE

CONCEPTUAL DRAINAGE:

VOLUME CALCULATIONS:
SUB BASIN AREA 1
EXISTING & PROPOSED SITE:
857,109.32 SF
VOLUME FORMULA = DAC
D=0.25'
A=857,109.32 SF
C=0.85
VOL (Req) = 182,136 CF

VOL Prov =
BASIN 1=11,971 CF +
BASIN 2=108,133 CF +
BASIN 3=38,919 CF +
BASIN 4=15,405 CF +
BASIN 5=5,915 CF +
BASIN 6=5,915 CF

VOL (Prov) = 186,258 CF

PROJECT DATA TABLE:

GROSS AREA: 857,109.32 SF
19.6765 AC
NET AREA (AFTER ROW DEDICATION) 811,476.21 SF
18.6289 AC
CURRENT ZONE: LI
CURRENT USE: AGRICULTURAL
PROPOSED ZONE: GO W/ USE PERMIT
PROPOSED USE:

EXISTING GENERAL PLAN: LI
PROPOSED GENERAL PLAN: GO

CURRENT DEV. STANDARD
BLDG SETBACK 30'/75'
BLDG HEIGHT 55' THREE STORIES

PROPOSED DEV. STANDARD
MIN. BLDG SETBACK 25' FRONT
20'/30' SIDE
20' REAR
48'

BLDG HEIGHT
DWELLING UNITS: 287 UNITS
FEE BASED BEDS: 100 BEDS
EMPLOYEES ON PROPERTY: 52-54
TOTAL EMPLOYEES: 68-72
SQ FT ALL STRUCTURES: 509,171 SF
TOTAL COVERED: 491,261.64 SF

LOT COVERAGE (UNDER ROOF): 191,321.50 SF
22.32%
320,464.69 SF
39.49%

OPEN SPACE:

AMERICAN FURNITURE
WAREHOUSE CO
APN: 304-39-956
ZONE: LI
USE: AGRICULTURAL

SECONDARY FIRE ACCESS

EXISTING SEWER MANHOLE

EXISTING 10" SEWER

EXISTING 12" SEWER

EXISTING 16" WATER

EXISTING CABLE TV MANHOLE

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